IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 6918 of 2003

For Approval and Signature:

HONOURABLE MS.JUSTICE H.N.DEVANI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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NIRMA CONSUMER CARE LIMITED - Petitioner(s)
Versus
SHALU TRADERS & 1 - Respondent(s)

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Appearance :
MR MB GANDHI for Petitioner(s) : 1,
MR SAMIR J DAVE for Respondent(s) : 1 - 2.

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CORAM : HONOURABLE MS.JUSTICE H.N.DEVANI

Date : 11/07/2006

ORAL JUDGMENT

1. This petition is directed against the order dated 14th September, 2001, passed by the learned City Civil Judge, Court No.22, Ahmedabad, below

Summons for Judgement in Summary Suit No.1496 of 2000, whereby leave to sign the judgment by way of summons for judgment of the plaintiff (petitioner herein) has been rejected and the defendants (respondents herein) have been granted unconditional leave to defend the suit.

2. Heard Mr. Chinmay Gandhi, learned advocate for the petitioner and Mr. S.D.Dave, learned advocate for the respondents.

3. After considering the rival submissions and perusing the record, this Court is of the view that it would be in the interest of justice, if without entering into the merits of the case the trial Court is directed to dispose of the suit expeditiously.

4. In the circumstances, the trial Court is directed to dispose of the suit as expeditiously as possible and preferably within a period of nine months from the date of receipt of this order. It is clarified that while deciding the suit, the trial Court shall not be influenced by the findings recorded in the impugned order dated 14th September, 2001.

5. Subject to the aforesaid directions, the petition stands disposed of. Rule is discharged. There shall be no order as to costs.

(HARSHA.DEVANI, J.)

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